

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 11-12, 2013

Reference No.: 2.8b.(3)
Action Item

From: STEVEN KECK
Acting Chief Financial Officer

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Acting Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR A PROPOSITION 1B
LOCAL BRIDGE SEISMIC RETROFIT ACCOUNT PROJECT, PER LBSRA GUIDELINES
WAIVER 13-54**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the request by the County of Los Angeles (County) to extend the period of contract award for the Proposition 1B Local Bridge Seismic Retrofit Account (LBSRA) East Fork Road over North Fork San Gabriel River bridge project for eight months, from November 30, 2013 to July 31, 2014, per LBSRA Guidelines.

ISSUE:

In July 2007, the Commission approved Resolution LBS1B-A-0708-001, allocating \$13.5 million in LBSRA bond funds, and delegated authority to the Department to sub-allocate funds to projects. In May, 2013, the Department sub-allocated \$229,819 to the County for the East Fork Road over North Fork San Gabriel River bridge project. The County is unable to award the project by the deadline of November 30, 2013, and is requesting an eight-month time extension to July 31, 2014.

BACKGROUND:

The County advertised the East Fork Road over North Fork San Gabriel River bridge project in July 2013 and bids were opened in August 2013. However, the lowest bidder was unable to meet the Disadvantaged Business Enterprise goal. The lowest bidder subsequently submitted a Good Faith Effort (GFE), which the County deemed inadequate and rejected in September 2013. The County plans to proceed with awarding the contract to the second lowest bidder. This will require approval from the County Board of Supervisors which takes approximately eight weeks to complete.

The contract award is anticipated to take place by the end of November 2013. There is a possibility the contract award will be delayed during the expected eight week timeframe should the first lowest bidder file an appeal of their on the ruling of GFE. There is no timeframe for the appeals process and this could be a lengthy process. In order to allow for the possibility of an appeal and any other unforeseen circumstances, the County is requesting an eight-month time extension through July 31, 2014.

In May 2008, the Commission adopted the LBSRA Guidelines (Resolution LBS1B-G-0708-001), which requires the implementing agency to request a time extension if the project will not be awarded within six months of the sub-allocation date. The LBSRA Guidelines stipulate that the Commission may approve a waiver to the timely use of funds deadline one-time only for up to 20 months.